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**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

LIANG LI,

Defendant.

Case 1:18-cr-00001

**GOVERNMENT'S MEMORANDUM IN
AID OF SENTENCING**

Date: September 7, 2018

Time: 10:30 AM

Judge: Hon. Ramona V. Manglona

1 The United States of America hereby submits this memorandum in aid of sentencing.

2 **A. Nature & Circumstances of Offense and Defendant's History & Characteristics**

3 Defendant Liang Li (“Defendant” or “Li”), pled guilty to Count One of the Indictment,
4 charging him with False Statement in Passport Application, in violation of 18 U.S.C. § 1542, for
5 his role in providing a fraudulent document in support of that application.

6 The Pre-Sentence Investigation Report (“PSR”) accurately describes the offense conduct
7 at paragraphs 9-14, as supplemented by the Government’s Objection emailed to the U.S.
8 Probation Office on July 20, 2018.

1 **B. Factors Pursuant to 18 U.S.C. § 3553(a)(2)**

2 **1. The Need for the Sentence Imposed to Reflect the Seriousness of the Offense,**
3 **Promote Respect for the Law, and Impose Just Punishment**

4 The Government believes that the Court should emphasize this sentencing goal, and the
5 goal of general deterrence, as the most important ones in fashioning an appropriate sentence.

6 **2. The Need for the Sentence Imposed to Deter Criminal Conduct**

7 The Government believes that a sentence of incarceration and a large fine in this case will
8 deter the defendant and others who may be tempted to engage in this type of crime from doing so.

9 **3. The Need for the Sentence Imposed to Protect the Public from Further**
10 **Crimes**

11 The Government does not believe that Defendant needs to be isolated in order to protect
12 the public from further crimes.

13 **4. The Need for the Sentence Imposed to Provide Defendant with Educational or**
14 **Vocational Training, Medical Care, or other Correctional Treatment**

15 The Government does not believe that the defendant needs education or vocational
16 training, medical care or other correctional treatment.

17 **C. The Kinds of Sentence Available**

18 The Government agrees that a sentence of incarceration and a large fine is consistent with
19 the statutory range of penalties available for Defendant's offenses.

20 **D. The Sentencing Guidelines**

21 The Government has reviewed the PSR. The Government agrees with PSR paragraph 30,
22 that the U.S.S.G. total offense level is 10.

23 **E. Any Pertinent Policy Statements**

24 The Government believes that a sentence of incarceration and a fine adequately reflects

1 any pertinent policy statements issued by the Sentencing Commission.

2 **F. The Need to Avoid Unwarranted Disparities**

3 Imposition of a sentence of incarceration and fine will avoid any unwarranted sentencing
4 disparity with others convicted of the same crime.

5 **G. Restitution**

6 Restitution is not an issue in this case.

7 **H. Motion Pursuant to U.S.S.G. § 5K1.1 and Sentence Recommendation**

8 Defendant initially cooperated by providing information concerning other individuals
9 engaged in criminal acts. This cooperation included participation in several proffer sessions, and
10 did lead to some useful information. However, Defendant's cooperation was not substantial
11 enough to warrant any additional consideration beyond the disposition contemplated by the Plea
12 Agreement. In addition, Defendant's attempts to weasel out of his guilty plea call his credibility
13 and usefulness as a witness into doubt.

14 For the foregoing reasons, the Government recommends a sentence at the lowest end of
15 the appropriate range of 6-12 months, specifically to **6 months** imprisonment, and a \$10,000.00
16 fine. In all other respects, the Government agrees with and relies upon the recommendation by
17 the U.S. Probation Office, and upon the sound discretion of the Court. This sentence is sufficient
18 but not greater than necessary to comply with the purposes of sentencing. 18 U.S.C. § 3553.

Respectfully submitted on August 31, 2018.

SHAWN N. ANDERSON
United States Attorney

By: /s/ James J. Benedetto
James J. Benedetto
Assistant United States Attorney